

From: Melissa Terzis <mterzis@gmail.com>

Subject: Additional Comments Re: ANC Meeting on 6/11

Date: June 12, 2020 at 1:33:34 AM EDT

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Hello Commissioners!

I was at the ANC meeting on 6/11 but wasn't able to make the comments I wanted to in response to the issue concerning the unpermitted deck on 38th Street.

I've been a Realtor in DC for 10 years and in the real estate industry for close to 20, having started my career working for land developers and home builders. I wanted to make some additional comments regarding the deck - some of which were mentioned and some that were not.

It was mentioned, but I want to reiterate that the most important issue with respect to allowing an exception is that it absolutely sets a precedent that future applications for zoning exceptions would likely follow. The key to maintaining a specific look to a neighborhood is to ensure that one trailblazer doesn't slip through the cracks. I often work in neighborhoods in DC where there has been very little oversight on what homeowners do - neighbors don't know to report construction work or turn a blind eye. The look of the neighborhoods is not what anyone would call aesthetically pleasing.

Historically, DC has been a miserable failure when it comes to unpermitted and illegal construction. I just sent the infamous WAMU 3 part series to a client to let them know this is the landscape in which we are searching for a home. (<https://wamu.org/projects/house-flipping/#/part1>) This is an excellent 3 part series from several years ago, but as a city, we are still experiencing the fallout. As houses flipped by the people mentioned in this article (and other unethical and incompetent HGTV-watching flippers running around DC) are purchased, the problems are passed on to the new homeowner and in cases like this, their neighbors.

DC also has a long history of flippers doing illegal and unpermitted work, and taking advantage of unsuspecting homeowners. This is a very tough market for buyers to navigate as compared to a place like Montgomery County which is swift in stopping any illegal construction. Perhaps the neighbors are nosier up there. In any case, it's very difficult here for owners to get past the effects of illegal and unpermitted construction without being flush with cash to undo some of the mess.

I am firmly on the side of it not being okay to ask for permission after doing the wrong thing and circumventing a system that is in place to protect our safety and our home values. I also wholeheartedly disagree with the Dudley's position that they had no knowledge that the work was done without permits. At the point that they sold their house, Mr. Dudley had been licensed to sell real estate for 9 years in DC. It's safe to assume that at least once in those 9 years, it became known to him that a permit is a requirement for construction. Relying on a contractor is a copout.

In addition, I checked the DC Permitting System online and there are indeed permits for some of the work that was done, with the applicant's name as Charles Dudley. I presume no one with the same name was running around filing for applications on his home during the same timeframe without his knowledge or consent. He was aware that construction requires permits.

I don't normally get involved in issues like this, but as someone who has been in real estate for 2 decades, this is an issue that offends me both personally and professionally. I've seen real estate agents take advantage of the public and act in extremely self-serving ways, and it's unfair to the general public who land in their path. I am on my 5th year volunteering for the Professional Standards Committee which essentially hears the complaints made against Realtors and determines a course of action. (Realtors are self-policing, but cannot revoke licenses. We can only make recommendations for additional education on matters related to the case presented.)

One more point, I believe Chad's boss/broker was on the ANC call this evening. Holly Worthington lives in Chevy Chase, MD. I'm unsure why she felt compelled to attend and attempt to do Mr. Dudley's bidding without announcing herself.

My sympathies are with the adjacent homeowners who have had to spend their time and money in addressing this.

I appreciate the ANC's position and urge you to unanimously oppose the request before you to allow an exception for the illegal and unpermitted deck at 2211 38th St NW. Thank you for all you do to protect our neighborhood.

Melissa
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